UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

Plaintiff,
v.
MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

WILLIAM D. JACKSON,

No. CV-06-0331-AMJ

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THE COURT for resolution is the Report and Recommendation entered on December 13, 2007 (Ct. Rec. 36), recommending that Defendant's Motion for Summary Judgment (Ct. Rec. 28) be denied, Plaintiff's Motion for Summary Judgment (Ct. Rec. 24) be granted, in part, and the matter be remanded for additional proceedings. No timely objections to the Report and Recommendation have been received by the Court.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b), this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the December 13, 2007 Report and Recommendation (Ct. Rec. 36) to be supported by the record and by the Magistrate Judge's analysis. Accordingly, the court adopts the Magistrate Judge's Report and Recommendation in its entirety.

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ORDER ADOPTING REPORT AND RECOMMENDATION ~ 1

IT IS HEREBY ORDERED that the Report and Recommendation (Ct. Rec. 36) to deny Defendant's Motion for Summary Judgment and grant, in part, Plaintiff's Motion for Summary Judgment is **ADOPTED in its entirety**. The matter is **REMANDED** for additional proceedings as outlined in the Magistrate Judge's Report and Recommendation (Ct. Rec. 36), and Judgment shall be entered for **PLAINTIFF**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and an Order of Judgment, forward copies to counsel, and close the file.

DATED this 4th day of January, 2008.

S/Lonny R. Suko

LONNY R. SUKO UNITED STATES DISTRICT JUDGE